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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) 101896-0366 (DEP-5181USNP)	
In re Application of Bryan S. Jones, Thomas V. Doherty, and Raymond F. Murphy		Application Number 10/813,904-Conf. #5037	
		Filed March 31, 2004	
For HEAD-TO-HEAD CONNECTOR SPINAL FIXATION SYSTEM			
Art Unit 3733		Examiner A. Yang	

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 141449.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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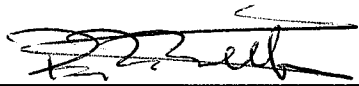
I am the

☐ applicant /inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

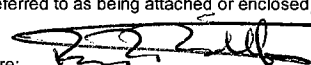
☒ attorney or agent of record.  
Registration number 59,659

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

  
 Signature  
 \_\_\_\_\_  
 Rory P. Pheiffer  
 Typed or printed name  
 \_\_\_\_\_  
 617-439-2879  
 Telephone number  
 \_\_\_\_\_  
 November 20, 2008  
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of 1 forms are submitted.

<b>Notice of Appeal</b>	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).	
Dated: November 20, 2008	Signature:  (Rory P. Pheiffer)